

85th Legislative Session – 2010

Committee: Senate Education

Tuesday, March 02, 2010

P - Present
E - Excused
A - Absent

Roll Call

- P Gray
- P Jerstad
- P Nesselhuf
- P Olson (Russell)
- P Peterson
- P Knudson, Vice-Chair
- P Garnos, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Cooper Garnos, Chair.

MOTION: TO APPROVE THE MINUTES OF TUESDAY, FEBRUARY 23, 2010

- Moved by: Knudson
- Second by: Jerstad
- Action: Prevailed by voice vote.

HB 1150: revise the calculation of the small school adjustment in the state aid to education formula for certain students who participate in open enrollment.

- Presented by: Representative Deb Peters
- Proponents: Joe Graves, Mitchell School District
Ross Opsol, Huron Schools
Vince Schaefer, Madison Schools
Dianna Miller, Large School Group
- Opponents: Tammy Darnall, Department of Education
Tom Oster, Secretary Department of Education
Tony Simons, Self, Elkton
Don Kirkegaard, Superintendent of Britton-Hecla School District

Gary Leighton, Self, Florence
Dick Tieszen, Sioux Falls School District
Jim Hutmacher, SD Coalition of Schools (Handouts: Doc. 1)
Representative Bill Van Gerpen
Tom Rice, Gayville-Volin School District

MOTION: AMEND HB 1150

1150cc

On the House Education Committee engrossed bill, delete everything after the enacting clause and insert:

"

Section 1. That § 13-28-45 be amended to read as follows:

13-28-45. The parent or guardian of a student who has been accepted for transfer is responsible for transporting the student to school in the receiving district without reimbursement. ~~Either the district of residence or the receiving district may provide transportation to students approved for transfer.~~ No receiving school district may enter the district of residence of students accepted for transfer into that school district to provide transportation to those students unless the transportation is approved by the school boards in both the receiving school district and the resident school district, and any such transportation agreement between school districts shall be approved annually. The provisions of § 13-29-4 do not apply when transporting students enrolled under the provisions of §§ 13-28-40 to 13-28-47. The receiving district may charge a reasonable fee if the student elects to use the transportation services offered by the receiving district."

Moved by: Knudson
Second by: Nesselhuf
Action: Failed by roll call vote. (3-4-0-0)

Voting Yes: Gray, Nesselhuf, Knudson

Voting No: Jerstad, Olson (Russell), Peterson, Garnos

MOTION: DEFER HB 1150 TO THE 41ST LEGISLATIVE DAY

Moved by: Nesselhuf
Second by: Jerstad
Action: Prevailed by roll call vote. (6-1-0-0)

Voting Yes: Jerstad, Nesselhuf, Olson (Russell), Peterson, Knudson, Garnos

Voting No: Gray

HB 1181: eliminate the consolidation incentives for any school districts that consolidate after July 1, 2010.

Presented by: Representative Ed McLaughlin (Handouts: Doc.2)

Proponents: Dianna Miller, Large School Group
Jim Terwilliger, Bureau of Finance and Management

Opponents: Jim Hutmacher, SD Coalition of Schools
Wayne Lueders, Associated School Boards of SD (Handouts: Doc. 3)

Tom Oster, Secretary, Department of Education was asked for clarification on certain points.

MOTION: DO PASS HB 1181

Moved by: Knudson

Second by: Gray

Action: Prevailed by roll call vote. (4-3-0-0)

Voting Yes: Gray, Olson (Russell), Knudson, Garnos

Voting No: Jerstad, Nesselhuf, Peterson

HB 1224: revise the payment schedule for the South Dakota opportunity scholarship program.

Presented by: Representative Jacqueline Sly (Handouts: Doc. 4)

Proponents: Representative Ryan Olson

Opponents: Melanie Jeppesen, Board of Regents
Bob Duffett, Dakota Wesleyan University
Paul Turman, Board of Regents
Wade Pogany, Department of Education

MOTION: AMEND HB 1224

1224cd

On the House engrossed bill, delete everything after the enacting clause and insert:

"

Section 1. That § 13-55-31 be amended to read as follows:

13-55-31. In order to be eligible for a South Dakota opportunity scholarship award, a student shall:

- (1) Be a resident of South Dakota at the time of graduation from high school or completion of alternative instruction pursuant to § 13-27-3;
- (2) Have a composite score of ~~24~~ 26, or higher, on the test administered by ~~the American College Testing Program or an equivalent score as determined by the Board of Regents on the Scholastic Assessment Test~~ ACT, Incorporated, and also attain ACT College Readiness Benchmark Scores equaling or exceeding eighteen for English, twenty-one for reading, twenty-two for mathematics, and twenty-four for science. The student shall take the ACT ~~or SAT~~ test before beginning postsecondary education;
- (3) ~~Meet the high school course requirements for graduation from the distinguished high school program as provided in section 24:43:11:05 of the Administrative Rules of South Dakota as in effect on January 1, 2008~~ Achieve a high school grade point average equivalent to a 3.0 on a 4.0 grading scale; however, this requirement is waived for any student who completes an alternative education program that does not assign grades;
- (4) Attend a university, college, or technical school that is accredited by the North Central Association of Colleges and Schools and that provides instruction from a campus located in South Dakota; and
- (5) Enter into the program within five years of graduation from high school or within one year of the student's release from active duty with an active component of the armed forces if the release is within five years of the student's graduation from high school. If a student attends full-time a regionally accredited university, college, or technical school located outside South Dakota and within two years following high school graduation or within two years following release from active military service returns to the state to attend full-time a regionally accredited university, college, or technical school, the student is eligible to receive a partial award.

A student is eligible to participate in the South Dakota opportunity scholarship program for the equivalent of four academic years (eight consecutive spring and fall terms) or until the attainment of a baccalaureate degree, whichever comes first. However, the executive director of the Board of Regents may grant exceptions to the continuous enrollment requirements for good cause shown.

A student who would have been eligible for the scholarship, but who applies after completing one or more semesters of full-time work at an accredited institution, may be admitted to the program only if the student has complied with the same grade point and credit hour requirements that would

apply to program participants. Admission granted under these circumstances may not be retroactive, and eligibility for participation in the program shall be reduced by one semester for each semester of work completed prior to admission to the program."

Moved by: Gray
Second by: Knudson
Action: Was not acted on.

THE CHAIR DEFERRED HB 1224 WITH PENDING AMENDMENT UNTIL THURSDAY, MARCH 4, 2010

HB 1248: revise the definition of fall enrollment in the state aid to education formula and to eliminate the one-time payments for school districts with increasing enrollments.

Presented by: Representative Roger Hunt
Proponents: Tom Oster, Secretary Department of Education
Jim Holbeck, Self, Harrisburg
John Pedersen, School Administrator of South Dakota
Wayne Lueders, Associated School Boards of SD
Charlie Flowers, SD Coalition of Schools

MOTION: DO PASS HB 1248

Moved by: Gray
Second by: Jerstad
Action: Prevailed by roll call vote. (7-0-0-0)

Voting Yes: Gray, Jerstad, Nesselhuf, Olson (Russell), Peterson, Knudson, Garnos

MOTION: ADJOURN

Moved by: Knudson
Second by: Olson (Russell)
Action: Prevailed by voice vote.

Cheri Hauschild
Committee Secretary

Cooper Garnos, Chair